

## REMARKS

Applicants thank the Examiner for the Office Action of May 8, 2007. This Amendment is in full response thereto. Thus, Applicants respectfully request continued examination and allowance of the application.

Claims 13-18 are pending of which 13-17 stand rejected.

Claim 13 has been amended to include the element “wherein said compressed air separation unit feed air stream is further compressed thereby producing a further compressed air separation unit feed air stream”. Support for this amendment may be found in the specification in paragraph [0025].

Claim 18 has been added to further define the invention. Support for this new claim may also be found in the specification in paragraph [0025].

### **Nonstatutory Obviousness-Type Double Patenting Rejection:**

The Examiner notes that the Terminal Disclaimer that was filed on December 19, 2006 was not proper because it was not signed by an attorney of record. Please note that new Powers of Attorney were recorded on May 7, 2007. Hence, the attached Terminal Disclaimer is properly submitted.

### **Claim Rejections Under 35 U.S.C. § 103:**

Claims 13-17 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over *Magnet et al '043* in view of *Rathbone '016*. Applicants respectfully submit that claims 13-17 are not anticipated by *Magnet et al '043* in view of *Rathbone '016*.

Claim 13 of the instant application, as currently amended, requires that the air separation unit feed air stream that is diverted from the blast furnace feed stream, be *further compressed* prior to admission into the air separation unit. This feature is neither taught nor suggested by either *Magnet et al*' 043 or *Rathbone* '016.

Consequently, claim 13 is not obvious in view of either *Magnet et al*' 043 or *Rathbone* '016, either alone or in combination. Thus this rejection with respect to claim 13, as well as claims 14-18 which are dependent upon claim 13, are moot and should be withdrawn.

### **Conclusion**

Accordingly, it is believed that the present application now stands in condition for allowance. Early notice to this effect is earnestly solicited. Should the examiner believe a telephone call would expedite the prosecution of the application, he/she is invited to call the undersigned attorney at the number listed below.

It is not believed that any fee is due at this time. If that belief is incorrect, please debit deposit account number 01-1375. Also, the Commissioner is authorized to credit any overpayment to deposit account number 01-1375.

Respectfully submitted,

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